

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARY ROSE DAY,

Defendant.

CR 13-97-BLG-DWM-CSO-1

FINDINGS AND
RECOMMENDATION
CONCERNING PLEA

The Defendant, by consent, appeared before me under Fed. R. Crim. P. 11 and entered a plea of guilty to the Indictment, which charges the crime of possession with intent to distribute methamphetamine in violation of 21 U.S.C. § 841(a)(1).

After examining the Defendant under oath, the Court determined that the guilty plea was knowingly, intelligently, and voluntarily entered; that the Defendant fully understands her constitutional rights and the extent to which such rights are waived; and that the offense charged and to which a guilty plea was entered contained each of the essential elements of the offense.

The Court further concludes that the Defendant had adequate time to consult with counsel. I recommend that the Defendant be adjudged guilty of the crime of possession with intent to distribute methamphetamine in violation of 21 U.S.C. § 841(a)(1), as charged in the Indictment, and that sentence be imposed. A presentence report has been ordered.

Objections to these Findings and Recommendation are waived unless filed and served within fourteen (14) days after the filing of the Findings and Recommendation. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

DATED this 10th day of January, 2014.

/s/ Carolyn S. Ostby
United States Magistrate Judge